App F IX 1

Previous References (1941 FL) File No 66-4 (

NL 10 4-40-5, 6 Serial Nos 7, 8

Later References

GENERAL AND REVENUE SECRETARIAT.

Serial Nos

Part B for Feb '42

SUBJECT

Vacancies of certain seats in the Assembly

To,

The Compiler

L 7305/14-[redacted]-42

8)

Notes the appointment of certain members against the [redacted]

NL 10/42

3914
L.

General and Revenue Secretariat — ML File No — of 1941-42 — [App F III-2

Serial No	
	From the ml Commnr, Bcly
	No CR Pr 119 Dy 5-1-1942
	States that Messrs Mirza Azeezulla Beg
	S.N Mo Razvi & A.J Khaleel have not
	paid their arrears of assessment inspite of
	the Special notices issued to them and that
(A)	they have ceased to be the members of the
	Council and requests sanction for sending
	up fresh nominations in ~~them~~ the vacancies
	as they happen to be nominated members
	under section 12(2)(c) of the
	Mysore City Mcties Act 1933. Messrs
	Mirza Azeezulla Beig, S M M Razvi &
	A J Khaleel have incurred the
	disability to continue to be ml
	Councillors of the Bcly mcly as they
	have failed to pay up the arrears of
	assessment inspite of the Special
	notice issued to them.
	The three gentlemen referred to in
	the letter are nominated members.
	Letter Dy 6-1-42 from Mr Mirza
(B)	Azeezulla Beig, Bcly, stating that the
	bill received from the mcly has been
	mislaid by his clerk, he could not
	pay the amount & that he has paid

NOTE—Cont ^r Sheet

3914 V 3918

L

File No of 1941-42 — General and Revenue Secretariat

Serial No

the amount in full and requesting that he may be restored as a mc Councillor

) There is no provision in the city Mcties Act to Comply with his request As he has Paid the assessment in full he is eligible for renomination subject for orders

Issue Cases in orders A & B.

7/1 Please putup the file relating to the reconstitution of the Bmc cl for the year 1941-42

for 7 days

Subject 5 MC 104-40-(5&6) relating to the reconstitution of the Bangalore city mc cl from 1-1-1941 to put up

8/1/42 6 The Municipal Commissioner, Bangalore city has reported that Messrs Mirza Azeezulla Beig, S N M Razvi and A J Khaleel Luke lost their seats on the Bangalore city Mc cl, owing to their having become disabled to continue as members thereof under Sec 12 (2) (c) of the Mysore city Mcties Act 1933, for non-payment of arrears of taxes due by them in spite of several notices served on or acknowledged by them

7 Of the three gentlemen, Mr

Serial No

Mirza Azeezulla Beig has subsequently written to say that he has since paid up the arrears in full, that the disability from his continuing as a municipal councillor may be removed & that he may be restored as a municipal councillor. Since the M.C. engr has not written to the effect that he has recd the entire arrears, it will be ascertained from him if Mr Azeezulla Beig has so paid up the entire arrears & if he has really done so, the disability automatically ceases and he may be renominated as a member of the Municipal council.

Flag V

These three gentlemen were nominated to the Bangalore city M.C. to represent Muslim interests on the M.C. at the time the city M.C. was reinstituted in January 1941

Points for orders :—

1) whether Mr Azeezulla Beig may be renominated as a member, after ascertaining from the M.C. engr if he has fully paid up his dues

2) which two other Muslim gentlemen may be nominated vice messrs Razvi and Khaleel

Law Secy for 8/1/42

SECY LAW DEPT 267 9-1-1942 GOVT OF MYSORE

NOTE—Cont. Sheet

WD 041-5—GPB—5,000—23-10-41

Vacancies of certain Muslim Seats in Bangalore Cty. Mcl Cl

39180 400/L = 3910/1

File No ... of 194

General and Revenue Secretariat

Serial No

To Mr Azeezulla Beg may be renominated

From the mcl Commr, Bcity
No C2 Pr 119 Dt 8-1-42
States that Mr Mirza Mo Azeezulla Beg has since remitted the amount in full & thus his disability to removed & requests that his name may be renominated.

Submitted.

10/1/42 12/1 Mr Azeezulla Beg may be renominated in the circumstances

2 Orders are required on the other two Muslim gentlemen to take the place of Messrs Razzak & Khaleel.

Secy to Govt 10/1/42

SECY LAB DEPT 10 JAN 42 GOVT OF MYSORE

13) Submitted. Section 12(2)(c) of the Mysore Cty Mcties Act 1933 is mandatory & effect has to be given to it. An appeal since received from Mr A J Khaleel has been submitted separately (Vide linked file DNO 4020/L)

10/1/42

Secy to Govt 10/1/42

4007

Vacancies of Cultivators seats in the Bcly Municipal Council

General and Revenue Secretariat | File No 4200/F of 194 | [App F III—2

Serial No.

14) Subd The Petitions received from Mr Khaleel have been sent to the ml Commr for a report in this office letter nro L6024 Dy 13-1-42 (vide linked file)

KHS
13/1/42
GS
13/1

Law Secy) for
13/1/42

15) Hon

No C2 Per 119 Dy 19/1/42 from the ml Comm states that Mr Azgulla Baig has retained as a Councillor & suggests two fresh names for nomination in place of Messrs Razvi & Khaleel

13/1/42

15/1

16) Report received from the ml Commr has been submitted in the linked file Subd for orders

KHS
20/1

17) The position I believe stands to thus :—

Mr Azgulla Baig has adjusted his dues

So also Mr Khaleel, though after some circuitous procedure

18) Accordingly, both these Gentlemen are eligible for Renomination

19) Hon Mem Name in Place of Mr. Razvi is for orders

GS
20/1/42

Law Secy) for
20/1/42

Mr Khaleel has preferred an appeal against the cause in proceedings Hope please accept

NOTE—Contn Sheet

WD 04155—GPB—55 000—23-10-41

Vacancies of certain seats in Bangalore city MLA

File No 12200/L of 1941 — General and Revenue Secretariat

Serial No

Kept record that the appeal is disposed

(1) Mr Azizullah Beg has paid up the dues in full but he has to be re-nominated as he has lost his seat automatically

(2) The arrears of Mr Khaleel have been paid up and he is not under disqualification now. He may be re-nominated

(3) Mr Rajavi has not paid his dues and in his place Mr A R A Basith may be nominated.

(4) Hence Messrs Azizulla Beg, A J Khaleel and A R A Basith may be nominated

Minister (L S G) Hm 20/1/42

DEPUTY SECRETARY'S OFFICE 22 JAN 1942 NO 6340

OFFICE OF THE MINISTER FOR L S G & P H Date 21/1/1942 No 45735

1 Messrs Azizulla Beg
2 A R A Basith
3 " A B Mahomed Khan

Board members are nominated for the places

Dewan (For perusal) 21/1/42 Hm 22/1/42

23/1/42 Hm 26/1/42

4020
L

General and Revenue Secretariat — MC — File No — of 1941-42 — [App F III—2

Serial No

Appeal Petn Dt 10-1-1942 from Advr A.J Khaleel, Advocate, Bangalore, stating that the demand made by the Rl Commr was not correct and praying that pending the Commr making a proper demand, the operation of the Commissioner's notice may be suspended -

-- submd Dt appd, a detailed report will be called for from the Rl Commr on the Petn presented by Mr Khaleel.

WKB 10/1/42

If this is to be treated as an appeal, the petn requires 8 annas stamped -

Law Secy for 10/1

SECY LAW DEPT 334 10 JAN 42 GOVT OF MYSORE

Mr Khaleel has since presented two rupee stamps to the Law Secy for initial pursuant for 12/1/42

A report from the Rl Commr may be called for

Hm L 13 1 42

submd with a draft letter for appl

WKB 13/1

13/1

for 13/1

To the Rl Commr, Bangr, thro Dy Rs No L 6024 Dt 13-1-42

Requests him to forward a detailed report in the matter together with the records

Secy A

NOTE—Contnl sheet

WD 04155—GPB—55 000—23 10-41

40205 4190
L

File No | of 194 | General and Revenue Secretariat

Serial No

From Dy ml Commr, Bcsf, thro DOs
NO-C2-Pr 119/40-41 Dy 19-1-1942
- forwards the report as called for.
Mr Khaleel contends that the property
bearing door NO7 III Block, St Lennar-
Sheriff Road does not stand in his name
but the ml Commr reports that the property
in question stands in the name of Mr Khaleel
and that he has been paying the taxes
due on it when demand is made.

It is reported that the tax due on property
NO7 has been paid by Mr A.J. Khaleel &
that it has been receipted in the books as for
the Khaledar Mr A.J. Khaleel & that taxes
due on other properties standing in the
name of Mr Khaleel have also been
since adjusted

As Mr A.J. Khaleel has
since paid all the arrears of taxes he is
eligible for re nomination. But the
Ml Commr in a separate letter has "V"
recommended Mr M.B. Mahomed
Khan, Asst Tobacco Mart, Bcsf for nomination
in place of Mr S.N.M. Razvi & Mr
ARA Banks, Hardware Merchant, Bcsf
in place of Mr A.J. Khaleel.

4020 / 41905 / 4200

General and Revenue Secretariat | File No | of 1941-42 | [App F III—2

Serial No

Suited for orders

1165
20/1

The Records in whose Branch all the ceremony which Mir Khaleel has produced in his petition against the Deputy is ill-based Points for orders

Recommendation of Mir Khaleel he may be recommended, as the disability from which he was suffering has since ceased to exist, owing to his payment of the dues duly from for orders. Last leg 7 from 20/11/42

Hm
20/11/42

NOTE—Contn Sheet

W D 04165—G I B—55 000—23-10-41

File No of 194

General and Revenue Secretariat

Serial No

4290
L

General and Revenue Secretariat — Mc File No 61 of 1941/42 — [App F III—2

Serial No

5 Petition dated 23rd Jany 1942 from Mr S N Mb Razvi requesting that he may be renominated to the Bangalore City Mc council as he has since paid all the arrears etc.

Mr Razvi has been disabled to continue as a Mc Councillor of the Bangalore City Mcpy under section 12 (2) (e) of the Mysore City Mcpties Act 1933 as he has not paid the arrears of Municipal taxes inspite of the Special notice issued by the Mc Comrs

Mr Razvi states that he has since paid the arrears. But he has not sent the receipt obtained from the Mcpy for having paid the taxes

As he says that he has paid the arrears he is eligible for re nomination

The Connected file has been submitted to the Dewan on 22/1/42, the Draft RO being 4200/L.

submitted for orders

WRB 24/1 This petition may be sent to RD Mc Comrs for immediate Report i.e. in three days & the legal pmts

25/1 Rao Bahadur examined

Law Secy for 26/1/42

6) Dated 27-1-42 Issued No. L6390/Ex: Dept today

SECY LAW DEPT 8 NOV 27-1-1942 GOVT OF MYSORE

Note in Contn Sheet

IFB 04155/GPB—10,000—10 41

4290 / 4442 — 4243/41

Bloi City Mil Council — Letter S & R Razvi

Petition re his disabilities

ML File No ____ of 1941/42 — General and Revenue Secretariat

Serial No 7

From the ml Commr, Bloi
No C2 dr 119/40 Dy 30-1-42
Forwards the report called for
In para 3 of his letter Dy 30-1-42
the ml commr has stated that
the amount of taxes has however been
received on 19-1-1942.
~~Sorter~~ He also requests orders
of Govt nominating the gentlemen
whom he has already recommended
(Vide linked file)
Submitted for orders

Ahs 31/1 Reference is invited to the orders in the 2nd linked file regarding New Nominations

Sg 31/1 The report of the M Commr is for perusal & orders.

The M Commr requests that his recommendations to fill up the vacancies as already made by him may be approved

Linked file

Lawdept / for 31/1

SECY LAW DEPT 991 31 1 42 GOVT OF MYSORE

The Law Section may examine the question whether the notice issued by the Commr is legal or not If it is legal, these Councillors loose their seats thereafter the notification may be issued

Legal opinion No 159/41-42 Dy 2nd Feb 1942

Hm 31/1/42

Asst Secy, Law dept

Secy 2/2/42

4243/6

Serial No

Mr Rozvi's contention that the notice issued by him is not legal in as much as the power to issue such a notice vests only in the Municipal Council

Mr Rozvi refers to the Municipal Law Chapter VIII deals with the Recovery of Municipal Claims by the Law is not clear after the Bill is submitted, when a notice has to issue under Sec 95-(3) of the Act. Sub Sec 12 (e) of the Act, makes a reference to a "Special Notice" but there does not seem to be any provision other than Sec 95-(3) of the Act specifying as to who should issue the notice. Sec 95-(3) of the Act is to the effect that the Municipal Council may issue such a notice But this power of the Municipal Council has been delegated to the Clerk Officer under Sec 236 of the Act & under Sec 245 (2) the Municipal Commissioner shall exercise all the powers specifically conferred on the Clerk Officer by the Act

Hence the notice issued in this case is legal & the contention of Mr Rozvi is not tenable

Law Secretary 3/7/42

3/7/42

The notice is in order The Municipal

NOTE—Cont Sheet

SECY LAW DEPT 1081 GOVT OF

C442/1 4242/47

File No. 1 of 1947 | General and Revenue Secretariat

Serial No

Commissioner has power to issue such notices of demand. The contention of Mr Rajan is untenable.

The notification may issue.

Minister (I & C)

Hm 3.2.42

3/2/42

12.2.42

Hm 14.2.42

3/2/42

(Addl. Secy - I/C)

Draft with Secretary for 14/2/42

Submitted with a draft notification for approval.

14/2

Secretary

Secretary for 14/2/42

4412
L

General and Revenue Secretariat | ML | File No 66 of 1941/42 | [App F III-2

Serial No	
	To the Compiler, Mysore Gazette No L7305 dt 14-2-42 Notifies the apptt of Messrs Mirza Azeezulla Baig, H B Mahomed Khan & A R A Baikh as members of the Belg ML el on existing vacancies
	To the ML Commr, Belg, thro PBs No L7306 dt 14-2-42
PB	Forwards a copy of the above for K V S Please put up a draft taking the Records
	SK 19/2/42 Submitted with a draft letter Draft
	HKS 19/2
	Draft issued 24/2/42
	To the ML Commr, Belg, No L7793 dt 26-2-42 Returns the Records
PB	

NOTE—Cont Sheet

File No. of 194

General and Revenue Secretariat

Serial No

BANGALORE CITY MUNICIPALITY

3914/2

No C2.Pr.119 MUNICIPAL OFFICES

Encl Bangalore 5th January 1942

From

ABDUL AZIZ KHAN ESQ., B.A.,
MUNICIPAL COMMISSIONER
BANGALORE CITY

To

H. V Narayana Rao, Esq, B.A., LL B.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE

SECY LA DEPT 3914/2 GOVT OF MYSORE

SIR

I have the honour to state that the marginally noted Municipal Councillors were due to the Municipality arrears of assessment on their properties to the extent noted in the margin.

Messrs.	Amount due. Rs. a.p.	Notice issued and acknowledged on	Since paid. Rs. a.p.	Balance still due Rs. a.p.
1.Mirza Azeezulla Beig	397-8-8	25-9-1941	50-0-0	347-8-8
2.S.N M.Razvi	67-8-0	23-9-1941	-	67-8-0
3.A J Khaleel	232-7-9	21-9-1941	21-14-0	210-9-9

Special Notices were served on them on the dates noted against each under Section 12(2)(e) of the Mysore City Municipalities Act VII of 1933, for payment of arrears within the stipulated time. The receipt of the notices, have been acknowledged by them as shown in the margin. Under the Act only three months' time is allowed for payment after the issue of the notice The period has expired and still the balances are not paid up.

Under the Section referred to above, they cease to be Municipal Councillors. I therefore request you to kindly obtain sanction of Government for fresh nominations being sent up in the vacancies as they happen to be nominated Municipal Councillors.

I have the honour to be,
S i r,
Your most obedient servant,

A.A.Khan
Municipal Commissioner.

svs.

3916

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Estd 1922

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Proprietors
Mirza M Azeezulla Baig

Avenue Road
Bangalore City, 6th January 1942
India

The Law Secretary
to The Government of Mysore
B A N G A L O R E

Sir,

I have received a ~~notice~~ notice No, C2, Pr, 119 dated 5th January 1942, from the Municipal Commissioner, Bangalore City informing me that since I did not remit the balance amount of assessment, within the statutory period, I cease to be a Municipal councillor from the date of intimation

I extremely regret that due to the oversight of my clerk (whose services have been dispensed with) the notice of demand was somehow mislaid, which even to this date I have not been able to lay my hands

Immediately on receipt of the notice I have paid the amount in full, and obtained the receipt

In view of the facts that the delay was purely unintentional and entirely due to the mistake of my clerk, I request that my disability to continue as a Municipal Councillor as prescribed under section 12(2) (e) may kindly be removed and that I may be restored as a Municipal Councillor, for which I shall be highly thankful to you

I beg to remain Sir
Your's Faithfully
Mirza M Azeezulla Baig

svs.2

BANGALORE CITY MUNICIPALITY

4001/L

No C2.Pr.119 MUNICIPAL OFFICES

Encl Bangalore 8th January 1942

GEN & REV. SECTT. 10 JAN 1942 L S G BRANCH

From

ABDUL AZIZ KHAN Esq B.A.
MUNICIPAL COMMISSIONER
BANGALORE CITY

SEOY LAW DEPT. 9 JAN 42 GOVT OF MYSORE

To

H. V Narayana Rao,Esq.,B A.,LL.B.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE

SIR

next page

In continuation of my letter No.C2.Pr.119 dated 5-1-1942 intimating that Municipal Councillors Messrs. (1) Mirza Azeezulla Beig, (2) S N.M. Razvi and (3) A J Khaleel ceased to be Municipal Councillors by virtue of their not having complied with the terms of the special notices served on them for payment of Municipal dues as prescribed under Section 12(2)(e) of the Mysore City Municipalities Act of 1933, I have the honour to state that Mr. Mirza M. Azeezulla Beig has since remitted the amount in full and thus his disability is removed under the Clause coming under the same section referred to above I therefore request that, his name may be ~~retained~~ re nominated and sanction for fresh nominations being recommended in respect of the other two gentlemen only.

I have the honour to be,
S i r,
Your most obedient servant,

A A Khan

Municipal Commissioner.

svs.2

4020
2

Before the Government of H H the Maharaja of ysore,
(Local Self Government Department) Public Offices,
Bangalore

The under-signed A J khaleel, B A ,B L , Advocate, Bangalore begs to state as follows -

He feels grateful to the Government for having nominated him as a Member of the City Municipal Council, Bangalore, thereby giving him an opportunity to serve his fellow citizens by looking after their civic needs and amenities, he might be permitted to add that as such a Councillor, he has whole-heartedly supported all useful measures having in view the best interests of the citizens of Bangalore without regard to fear or favour of any individual or party in the Council While it was so, he was surprised to receive a communication from the Municipal Commissioner, Bangalore City, notice No CC-Pr 119/42 dated 5.1.1942 copy whereof is enclosed herewith, informing him that he had ceased to be a Municipal Councillor by reason of the fact that he failed to remit certain taxes alleged to be due to the Municipality

In this connection, he has to state that the Municipal Commissioner wrote to him on 2-7-41 that a sum of Rs 232-7-9 was due to the Municipality but he informed the said Officer on the 9th idem alone, that most if not all the alleged arrears were in respect of a premises of which he was neither the absolute owner nor the occupier, which alone renders him liable under the law to pay the taxes and that therefore a proper demand may be sent to him The Municipal Commissioner relying on his Revenue

Office-

Officer replied that since the petitioner's name happens to find a place in the Municipal Registers against the disputed property the latter is primarily liable to pay the said taxes The petitioner brought to the Commissioner's notice that he was not responsible for the inclusion of his name in the Municipal Registers and if the Municipal Officials have done so suo-motto, as they seem to have done in the present case, he is not obliged to pay the taxes

It is too well known to need mention here that mere entries in the Municipal Registers do not confer title on a person in respect of the properties standing against his name and when there was no request or application by the petitioner to have the entry in his name, one cannot understand how the Municipal Commissioner deems that he is primarily liable to pay the taxes Section 76 of the City Municipalities Act indicates the persons from whom the assessment is primarily recoverable and the petitioner does not fall in the role of any of those persons He made it quite plain to the Municipal Commissioner that the latter is at perfect liberty to proceed against such persons as are in actual occupation or possession thereof or against the property itself but instead of doing so, the petitioner was served with another notice on - 17/21-9-41 demanding from him the same amount as demanded before

In these circumstances, the Government will be pleased to see that the said notice did not conform to the requirements of law and the petitioner was under no

obligation to act up to its terms, hence failure to comply with the terms of such a notice does not render him liable under the penal provision of Section 12 of the City Municipalities Act, which section the Municipal Commissioner has invoked to un-seat the petitioner from the Council

The petitioner is not quite sure if the Municipal Commissioner brought all these facts to the notice of the Government before preemptorily intimating him that the petitioner had ceased to be a Councillor, if at all he has solicited instructions from the Government while feeling grateful to the Government as aforesaid, and affirming that the petitioner as zealous as ever to serve the best interests of his fellow citizens if called upon to do so by the benign Government, yet he regrets to state that even a nominated seat is not such a bed of roses as to be endured in the face of such humiliations to which the Municipal Commissioner has either wilfully or without proper care or caution subjected the petitioner

Wherefore it is respectfully prayed that the Government may kindly be pleased to direct the Municipal Commissioner to make a legal, valid and proper demand on the petitioner in respect of properties which are in his occupation or ownership and to collect, if at all, any sums are due in respect thereof, it is further submitted that pending the Commissioner making a proper demand, the operation of the Commissioner's notice may kindly be suspended

Bangalore,
10-1-1942.

A J Khaleel
Petitioner.

City Municipal Offices,

D O No C2 Pr 119/40 Bangalore, Dated the 2nd July 1941

Dear Sir,

In continuation of my D O letter No C2 Pr 119 dated 9-5-1941 re the payment of assessment due on your properties, I write to say that there is an outstanding balance of ₹ 232-7-9 to be paid by you May I therefore request you to kindly see for its early adjustment ?

Yours sincerely,

(sd) A A Khan
Municipal Commissioner,
Bangalore City Municipality

To

A J Khaleel, Esq ,B A ,B L
Municipal Councillor

" C o p y "

L Abdul Aziz Khan,
Municipal Commissioner

City Municipal Offices,
Bangalore,
Dated 22nd July 1941

D O C2-Pr 119

Dear Sir,

In reply to your letter dated 9th July 1941 contending that the inclusion of taxes due on house in IV Block Dr Ormar Sheriff's Street in your account is incorrect, I write to say that the Revenue Officer reports that the property under reference stands in your name in the registers of his office Apparently the taxes should be paid by you I request you therefore, in the circumstances of the case to remit the amount early

Yours sincerely,

(Sd) A A Khan

A J Khaleel Esq ,B A ,B L ,
Municipal Councillor,
Bangalore City

" C o p y "

No C2 Pr 119/40

City Municipal Offices,
Bangalore, Dated the 17th Septr 1941

N o t i c e

Mr A J Khaleel, b A ,B L

Municipal Councillor, Division, , is hereby informed that inspite of this office D O Letter No C2 Pr 119 dated 3-7-1941 requesting him to remit ₹ 232-7-9 being the Mohatarfa dues payable by him to the Municipality, he has not paid the balance amount so far He is further informed that if he does not remit the afore-said amount early, necessary further action will have to be resorted to in pursuance of Section 12(2)(c) of the Mysore City-Municipalities Act VII of 1933

(Sd) A A Khan
Municipal Commissioner

Rs 21-14-0 since
paid Balance to
be paid is only
₹ 210-9-9

" C o p y "

City Municipal Offices,

Bangalore, Dated the 5th January 194[illegible]

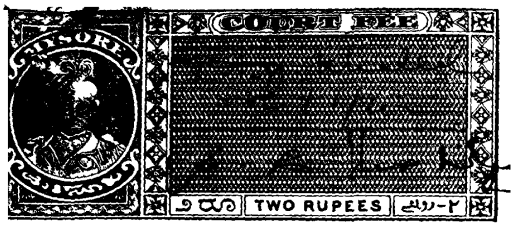
No.C2 Pr.119

Notice

Mr. A J. Khaleel is hereby informed that inspite of this office Notice No C2 Pr 119 dated 17-9-41 issued to him as prescribed under section 14(2)(e) of the Mysore City Municipalities Act VII of 1933 and acknowledged by him on 21-9-41 he has not remitted the balance amount of assessment of Rs 210-0-0 due by him within the Statutory period He is therefore hereby informed that he has ceased to be a Municipal Councillor from the date of the receipt of this intimation

Sd A A Kha
Municipal Commissioner

"Copy"



Before the Govt of H H the Maharaja
of Mysore
(Local Self Govt Dept)

— Memo:—

Hereunto annexed Stamps
of the Value of Rupees Two only,
which had not been affixed
by oversight before

B'lore
12 | 42

A J Wheeler
Secretary
Municipal Council

Before the Government of H H the Maharaja
of Mysore, Local Self-Government
Department, Public Offices,
Bangalore

From
A J Khaleel, B A ,B L , Advocate,
Bangalore City.

In continuation of the memorial submitted by him regarding the action of the Municipal Commissioner, Bangalore City Municipal Council, the undersigned begs to enclose herewith, a demand notice sent to his brother Mr A G Khaleel in respect of the disputed property

He begs to further state that most intentionally and without any justification whatsoever, the Revenue Officer had addressed the notice as though it is for the under-signed

He further submits that when the assessee himself is in dispute or contraversy, the Municipal Commissioner, assumed a jurisdiction not vested in him when he sought to unseat the under-signed on that ground

Bangalore,
12-1-1942

A J Khaleel
Advocate

Appendix F G—1]

SUBJECT

Section ml

File No

Serial No

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

Date of issue 13/1/42

Signed by Mr G R Rao

List of enclosures

Copied by Mr 13/1/42

Examined by

No L6024 Estt Misc

To The ml Commr, Bcsp, thro P&D

Sir,

I am directed to forward herewith two petitions dated 10-1-42 & 12-1-42 received from Mr A. J. Khaleel Bcsp together with their enclosures in original appealing against the orders of the ml Commr, Bcsp in regard to declaring his seat as vacant in the Bcsp ml cl as he has incurred the disability under section 12 (2) (c) of the Bcsp

Mlties Act 1933 and to request
you to be so good as to
forward a detailed report
in the matter to Collector with
the connected records, if any

The Petitions & their enclosures.
may be returned along with
your report within five days —

I have etc
for
Dist Secy to Govt
Land Deptt

13/1

13/1

\3

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat,

Dated Bangalore, 13/1 January 1942

No L6024/mk
Eine Nine

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore,
Law Department.

To

The Municipal Commissioner, Bangalore City
through the President, Bangalore City Municipal Council

Sir,

I am directed to forward herewith two petitions dated 10th January 1942 and 12th January 1942 received from Mr.A.J.Khaleel, Bangalore City together with their enclosures in original in regard to his seat having been declared vacant in the Bangalore City Municipal Council as he has incurred the disability under section 12(2) (e) of the Mysore City Municipalities Act, 1933 and to request you to be so good as to forward a detailed report in the matter together with the connected records, if any.

The petitions and their enclosures may be returned along with your report within five days.

I have the honour to be,
Sir,
Your most obedient servant,

(Draft)

For Secretary to Government,
Law Department

mk.2

BANGALORE CITY MUNICIPALITY

4190/L

No C2 Pr.119/40-41 MUNICIPAL OFFICES

Encl Ten (8 belonging to M1 office-pheristed) (2 Enc sent by Govt.,

Bangalore, 19th January 1942.

IMMEDIATE.

From

ABDUL AZIZ KHAN ESQ BA
MUNICIPAL COMMISSIONER,
BANGALORE CITY.

To:

H V Narayana Rao, Esq., B.A., LL.B.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE.

Sir

With reference to your letter No L 6204/M1 Enc. 9 dated the 13th January 1942 forwarding, for a detailed report, two petitions dated 10th January 1942 and 12 January 1942 received from Mr A. J. Khaleel, in regard to his seat having been declared vacant in the Bangalore City Municipal Council as he has incurred the disability under Section 12 (2) (e) of the Mysore City Municipalities Act 1933, &c I have the honor to state as follows -

The properties against which the taxes were claimed from Mr. A J Khaleel, the petitioner, stand in his name, in the registers of this office for a long number of years and bills and demand notices are being sent to him. As he failed to make payments as and when the taxes accrued every year, and as there were heavy arrears outstanding a D O letter No C2-Pr. 119 dated 7th May 1941 was sent to him by my predecessor in office for payment of dues noted therein, as in the case of 13 other Municipal Councillors. He made part-payment before the end of June 1941 and there still remained Rs 232-7-9 outstanding against him at the end of June 1941. On 2nd July 1941, a reminder D O letter was sent to him for the payment of the same early, in reply to which he sent a letter dated 9th July 1941 stating that door No 7, IV Block, Dr Ummar Sheriff Road does not stand in his name and that an amended bill may be caused to be sent to him &c. On this, a report having been received from the Revenue Officer to say that the door number under question stands in his name alone in the registers of his office, a reply letter No C2 Pr 119/40-41 dated 22nd July 1941

was sent apprising him of this and requesting him to make early payment of the dues. There was neither any reply received from him afterwards in this respect nor did he make payment of the dues subsequently.

If he had still felt that the door number 7 in question was not his, nothing prevented him from applying to the Municipality for the change of its khata to the rightful person so far. As such a final notice dated 17th September 1941 was served on him under Section 12 (2) (e) of the Mysore City Municipalities Act, 1933 as in the case of other Municipal Councillors who defaulted payments of taxes due in as much as he failed to make payment of the arrear dues in spite of a D O. - - - addressed to him as above andthe same was acknowledged by him on 21st September 1941. It is seen under the circumstances explained that his objections are untenable and cannot be accepted. It may also be brought to the notice of Government here that apart from the taxes due on the property in question, to the extent of Rs 112-8-0, taxes on his other properties were due which also he did not pay within the prescribed period under section. The stipulated period of three months provided under the section expired, and the amount was not received. Thus the further course of action provided under rules had to be adopted and he was informed in this office No. C2. Pr 119/40-41 dated 5th Jan. 1942 that he ceased to be a Municipal Councillor from the date of the receipt of the said intimation.

He has himself since paid the taxes due on his other properties and made his brother Mr. A. G Khaleel to pay the tax due on the property in question. But, a receipt for the latter payment had been issued by the Municipality as the amount having been received from Mr. A. G. Khaleel for the khatedar Mr. A. H. Khaleel.

The connected records together with the enclosures received with your letter are herewith sent as desired for favour of perusal and return of the papers of this office.

I have the honor to be,
Sir,
Your most obedient servant,

Municipal Commissioner.

BANGALORE CITY MUNICIPALITY 4200/L

No C2.Pr.119 MUNICIPAL OFFICES

Encl IMMEDIATE. Bangalore 16th January 1942

20 JAN 1942

From

ABDUL AZIZ KHAN ESQ., B.A.
MUNICIPAL COMMISSIONER
BANGALORE CITY

To

H V. Narayana Rao,Esq.,B.A.,LL.B.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE

SECY LAW DEPT
GOVT OF MYSORE

SIR

In continuation of this office No.C2.Per.119/40-41 dated the 5th instant requesting sanction of Government for fresh nominations being sent up in the vacancies of the marginally noted Municipal Councillors who have ceased to be Councillors under Section 12(2)(e) of the Mysore City Municipalities Act 1933, I have the honour to state that Mr. Mirza Azeezulla Beig having since paid the dues, his disability has ceased under the same Section and that, as such, his name may be retained as a Municipal Councillor as already recommended in this office No.C2.Per.119/40-41 dated 5-1-1942.

Messrs.
1. Mirza Azeezulla Beig
2. S.N.M. Razvi
3. A.J. Khaleel

As regards the nominations in the other two vacancies referred to therein, I note in the margin two names for sanction of Government early in the vacancies noted against each.

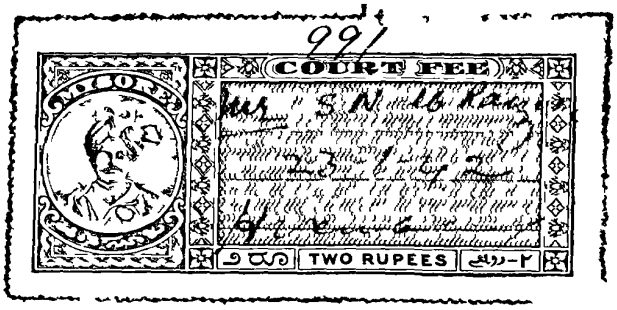
1. Mr.H.B.Mahomed Khan,
   City Tobacco Mart, Avenue Road,Bangalore City
   in place of Mr. S.N.M. Razvi

2. Mr.A.R.A. Basith, Hardware Merchant,
   Narasimharaja Road, Bangalore City
   in place of Mr. A.J. Khaleel.

I have the honour to be,
S i r,
Your most obedient servant,

Municipal Commissioner.

svs.



4290/L
GEN & REV SECT
23 JAN 1942
L S G D. ANGH

MKR

BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE, BANGALORE

Presented in person
Hm
2
23/1/42

Petition No. of 41-42.

-*-

PETITIONER --Mr S. N. M. Razvi,
Son of Mir Md. Gouse Razvi,
Cottonpet,
Bangalore City.

-*-*-*-

UNDER SECTIONS 12(2)(c) (3) OF THE MYSORE CITY MUNICIPALITIES ACT ---

The petitioner begs to state as follows -

1. He was nominated by the Government as a Member of the Bangalore City Municipal Council which was constituted from January 1941.

2. He received a Notice dated 17-9-1941 from the Commissioner of the Bangalore City Municipality on 23-9-41, purporting to be under Section 12(2)(e) of the Mysore City Municipalities Act, demanding certain arrears of Municipal Taxes amounting to Rs.67-8-0.

3. He wrote to the Commissioner on 20th October 1941 that he would be paying the arrears in instalments, but received a reply dated 7th November 1941 that his request could not be complied with.

4. He received another notice dated 5th January 1942 from the Commissioner on 21-1-1942 notifying that since the arrears had not been -

paid

paid within the statutory period, the petitioner had ceased to be a Councillor. The notice is herewith attached.

5. The petitioner submits that the Special Notice is not legal, since it was not issued by the Municipal Council and the power to issue such notices is not included either in the powers of the Chief Officer under Section 236 of the Act or of the Commissioner under Section 245 of the Act. The Notice should have been issued by the Council.

6. The petitioner submits therefore that he has not incurred any disqualification.

7. - Further, he was not in Town at the time of the final notice.

8. The petitioner also bona fide believes that he could pay the arrears within 3 months after a reply was received to his letter dated 20-10-41.

9 As a matter of fact, the petitioner paid all the arrears on 19-1-42, i.e., two days before the final notice was received by him.

10. The petitioner submits that inasmuch as the notice is not by the Council and otherwise, no forfeiture or vacancy of his seat has occurred and he continues to be a councillor.

11. The petitioner also submits that - should the Government come to the conclusion - that the petitioner did incur the disqualification and ceased to be a councillor, the disqualification has disappeared since the arrears have been made up on 19-1-42, and this petitioner

is re-eligible for re-appointment or re-nomination.

12. The petitioner prays, for all these reasons, that the Government may be pleased to

either hold that no disqualification occurred and that the petitioner has not ceased to be a Councillor

o r

alternatively be pleased to re-nominate him, since the arrears have been paid in any event.

For which act of kindness, the petitioner will ever remain grateful.

Bangalore City,
23rd January 1942.

PETITIONER

S Mukerji

Immediate

No-L 6390/Ex. Forwarded dated 27th Jany. '42. forwarded with compliments to the Municipal Commissioner, Bangalore city for favour of a report in Three days.

8763

By order
Ramachandra
27/1/42 for Secy to Govt
Law Dept

19/27/1

4412/A

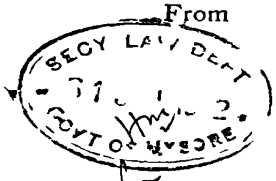
BANGALORE CITY MUNICIPALITY

No C2.Pr.119/40

Encl 1) ample duly stamped (11 pages)
2) Petn

MUNICIPAL OFFICES

Bangalore 30th January 1942



From

ABDUL AZIZ KHAN ESQ BA,
MUNICIPAL COMMISSIONER
BANGALORE CITY

Mu 66-41-7

To

H. V. Narayana Rao, Esq., B.A., LL.B.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE

SIR

With reference to your memo No.L.6390 dated 27-1-1942 forwarding for report the petition of Mr.S.N.M. Razvi who has been disqualified as a Councillor under Section 12(2)(e) of Mysore City Municipalities Act VII of 1933, I have the honour to state that a D.O. letter was written to Mr.S.N.M. Razvi for payment of arrears of assessed taxes due by him on 9-5-1941 by my predecessor in office and a reminder letter was also sent in the month of July 1941 as in the case of other Councillors but the amount was not received. Hence, a final notice as required under Section 12(2)(e) of the Mysore City Municipalities Act was sent to him on 17-9-1941 and the same was ~~xxkxx~~ acknowledged by him on 23-9-1941. In reply thereto, Mr.S.N.M.Razvi sent a letter on 20-10-1941 stating that he may be permitted to pay in monthly instalments of Rs.10/- each. He was replied in this office No.C2.Pr.119 dated 8-11-1941 stating that his request could not be complied with. Inspite of the lapse of the scheduled period, Viz., three months, which expired on 23-12-1941, the amount of arrears due was not remitted by him. Hence, a notice dated 5-1-1942 was sent to him intimating that he ceased to be a Councillor under the rules. But his agent in his letter of 6-1-1942 represented that he was touring in Tumkur District and that the matter be kept in abeyance. Subsequently, on 10-1-1942, another letter was received from the same gentleman returnimg the notice cover duly opened and stating that Mr.S.N.M. Razvi was on a tour to Bombay and Poona on some urgent purpose.

The notice

2) The notice had thus to be sent again and it was sent on 21-1-1942 for service on him, when it was ascertained that he returned to Bangalore and the same has been acknowledged by him on 21-1-1942.

3) The amount has however been received on 19-1-1942 which should have been paid on or before 23-12-1941 on which date the period of the Special Notice under Sec.12(2)(e) of the Mysore City Municipalities Act expired.

4) Thus, it is seen that under Section 12(2)(e), the office of a Councillor shall automatically become vacant after a special notice is served on him and the scheduled period elapses.

5) In these circumstances, I request that orders of Government may kindly be obtained re nominating the gentlemen whose names I have already submitted to the vacancies in the Council.

6) Connected records are enclosed herein for favour of perusal and return. The petition of Mr.S.N.M. Razvi sent with your letter under advertence is also returned.

I have the honour to be,
S i r,
Your most obedient servant,

Municipal Commissioner.

No.C2.Pr.119

City Municipal Offices,
Bangalore, Dated the 5th January 1943.

Notice.

Mr. S N M Razvi is hereby informed that inspite of this office Notice No.C2.Pr.119 dated 17-9-41 issued to him as prescribed under Section 12(1)(e) of the Mysore City Municipalities Act VII of 1933 and acknowledged by him on 23-9-41 he has not remitted the balance amount of ~~xxxxxxxxx~~ assessment of Rs. 67-8-0 due by him within the statutory period. He is therefore hereby informed that he has ceased to be a Municipal Councillor from the date of the receipt of this intimation.

Municipal Commissioner.

svs.4

BANGALORE CITY MUNICIPALITY

No C2.Pr.119/40-41 MUNICIPAL OFFICES

Bangalore 16th January 1942

9/2/42.0

From

ABDUL AZIZ KHAN, ESQ., B.A.,
MUNICIPAL COMMISSIONER
BANGALORE CITY

To

H. V. Narayana Rao, Esq., B.A., LL.B.,
SECRETARY TO THE GOVERNMENT
OF HIS HIGHNESS THE MAHARAJA OF MYSORE,
LAW DEPARTMENT, BANGALORE

SIR

With reference to your letter No.L.6204/Ml.Enc.9 dated the 13th January 1942 forwarding, for a detailed report, two petitions dated 10th January 1942 and 12th January 1942 received from Mr.A.J. Khaleel, Bangalore City, in regard to his seat having been declared vacant in the Bangalore City Municipal Council as he has incurred the disability under Section 12(2)(e) of the Mysore City Municipalities Act, 1933, etc., I have the honour to state as follows.-

The properties against which the taxes were claimed from Mr. A.J. Khaleel, the petitioner, stand in his name, in the registers of this Office for a long number of years and bills and demand notices are being sent to him. As he failed to make payments as and when the taxes accrued every year, and as there were heavy arrears outstanding, a D.O. letter No. C2.Per. 119 dated 7th May 1941 was sent to him by my predecessor in Office for payment of dues noted therein, as in the case of 13 other Municipal Councillors. He made part-payment before the end of June 1941 and there still remained Rs. 232-7-9 outstanding against him at the end of June 1941. On 2nd July 1941, a reminder D.O. letter was sent to him for the payment of the same early, in reply to which he sent a letter dated 9th July 1941 stating that door No. 7 , IV Block, Dr. Ummar Sheriff Road, does not stand in his name and that an amended bill may be caused to be sent to him, etc., On this, a report having been received from the Revenue Officer to say that

Appendix F G—1]

SUBJECT

10 Copies

Section ML

File No 66-41

Serial No 8

Diary No of letter replied to

General and Revenue Secretariat

( )

the *19*

No Duplicate Dr. 27305

~~to~~

Under Section 16 of the Mysore City Municipalities Act 1933, as amended from time to time and the rules framed thereunder, the following gentlemen are appointed as members of the Bangalore City Municipal Council in existing vacancies:—

Date of issue 16 to Feb 7. '42

Signed by Mr. G. Ramachandra Rao

Ward Name — Nature of Vacancy

(1) Mr Murza Azeezulla Beg, Khanbaza Hall, Bhimanagar — Disability under section 12(2)(c) of the Act since ceased

(2) " A B Mahomed Khan, City Tobacco Mart, Avenue Rd. Bhow cs — Vice Mr S N M Raju disabled to continue a councillor under section 12(2)(c) of the Mysore City Municipalities Act 1933

List of enclosures

Copied by

(3) Mr A. R A Basith, Hardware Merchant, Nanjanagud Rd, Bhow cs — Vice Mr A G Khaleel disabled to continue as Councillor under sec

Examined by

WD 03695—CPB—30 000—29 1 40

12(4)(c) of the Mysore Co-op Societies Act 1933

By order

for

Secy to Govt

Law Deptt

To the Comptr, Mysore Gazette

for Publication in Part III of the Gazette & supply of 10 Copies each to this office & the one Commr Concd

Memo no L 7306/41-42 dt 14th Feby. '42 –

Copy of the above is forwarded with Compliments to the Secy Commr with reference to the Correspondence ending with his letter no CR Pr 119/40 dt 30-1-42

By order

for

Secy to Govt

Law Deptt

14/2

14/2

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE,

General & Revenue Secretariat,

No. 7306/MM66-41-8 Bangalore, dated 14th February 1942

NOTIFICATION

Under Section 13 of the Mysore City Municipalities Act 1933, as amended from time to time and the rules framed thereunder, the following gentlemen are appointed as Members of the Bangalore City Municipal Council in existing vacancies:-

1) Mr. Mirza Azeezulla Beig,
   The Mirza Hall, Bangalore City.
2) " M. D. Mohomad Khan,
   City Tobacco Mart, Avenue Road, Bangalore City.
3) " A.R.A.Smith,
   Hardware Merchant, Narasimharaja Road, Bangalore City.

By Order,

For Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette, for publication in part III of the Gazette and supply of 10 copies each to this office and the Municipal Commissioner, Bangalore City.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No General and Revenue Secretariat,

Dated Bangalore

NOTIFICATION

Appendix F G—1]

SUBJECT

Section

File No

Serial No

Diary No of letter replied to

No L 7793/42 : records

To

The ml Commr, Bcig.

Sir,

General and Revenue Secretariat

( )

the *19*

In continuation of this office memo no L7306 Dy 14-2 42 forwarding a copy of notification no L7305 Dy 14-2 1942 appointing Messrs Mirza Azeezulla Beig, H B Mahomed Khan & A R A Basil as members of the city mcl, I am directed to return herewith the records received from your office cir this below

Date of issue 26-2-'42

Signed by Mr. G. Ramachandra Rao

I have etc

for

Secretary to Govt

Law Dept

19/2

List of enclosures (Records to Mrs Razvi & Mrs Khaleel

Copied by

Examined by

19/2

WD 03695—GPL—30 000—29 1 40